GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4442
ANSWERED ON:17.04.2001
JUSTICE MALIMATH COMMITTEE
JAYABEN B. THAKKAR

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government had set up Justice Malimath Committee on Criminal Procedure Code;

(b) if so, the details regarding its tenure, membership, functions of the members etc.;

(c) whether the said Committee has submitted its report;

(d) if so, the salient features thereof;

(e) if not, the reasons for delay; and

(f) the time by which the Committee is likely to submit its report?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMY)

(a) and (b): Yes Sir, the details of the composition and terms of reference for the Committee are annexed.

(c): No Sir.

(d) to (f): The Committee has been requested to submit its report within six months. That period is yet to be completed.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) AND (b) OF LOK SABHA UNSTARRED QUESTION NO. 4442 17.4.2001.

The composition of the Committee set up by the Government to consider measures for revamping Criminal Justice System is as below:

1. Shri Justice V.S. Malimath, Chairman

2. Shri Justice T.S. Arunachalam, Member

3. Shri S. Vardhachari, IAS (Retd.), Member

4. Shri Amitabh Gupta, IPS (Retd.), Member

5. Prof. N.R. Madhava Menon, Vice Chancellor, West Bengal National University of Judicial Sciences, Member.
6. Shri Durgadas Gupta, Joint Secretary (Judicial), Ministry of Home Affairs, as Secretary.

2. The terms of reference for the Committee are as under:

(i) To examine the fundamental principles of criminal jurisprudence, including the constitutional provisions relating to criminal jurisprudence and see if any modifications or amendments are required thereto;

(ii) To examine in the light of findings on fundamental principles and aspects of criminal jurisprudence as to whether there is a need to rewrite the Code of Criminal Procedure, the Indian Penal Code and the Indian Evidence Act to bring them in tune with the demand of the times and in harmony with the aspirations of the people of India.

(iii) To make specific recommendations on simplifying judicial procedures and practices and making the delivery of justice to the common man closer, faster, uncomplicated and inexpensive;

(iv) To suggest ways and means of developing such synergy among the judiciary, the prosecution and the police as restores the confidence of the common man in the criminal justice system by protecting the innocent and the victim and by punishing unsparingly the guilty and the criminal;

(v) To suggest sound system of managing, on professional lines, the pendency of cases at investigation and trial stages and making the police, the prosecution and the judiciary accountable for delays in their respective domains; and

(vi) To examine the feasibility of introducing the concept of `federal crime` which can be put on List I in the Seventh Schedule to the Constitution of India.